

Minor offenses Jan. 14 3 p.m. – Assembly Chambers

Draft Minutes

Committee present: Don Turner, Bill Thomas, Ron Jackson, Margaret Friedenauer

Committee absent: Mike Denker, Mike Case, Deb Vogt

Audience: Diana Lapham, Paul Nelson, Brenda Josephson, Bill McCord, Sgt. Josh Dryden (acting police chief), Norm Huges, Brad Ryan (interim manager.)

Call to order

Approve agenda

Remove first item (Deb's report on attorney's recommendations from last meeting)

No objection to agenda approval

Approve minutes

None to approve from last meeting

Public comment

Lapham – Invited people to open house for potential new police officer hire Friday, Jan. 15.

Hughes – First time attendee at meetings. Asked about involvement in meetings and public comment procedure.

Nelson – Research on daily fines issue. Says daily fines should be removed because there's no state law endorsing them.

Josephson – Varying the meeting times is confusing and difficult for attendees. "Red Socks" story distributed to committee. At the first meeting the communications between the attorney and staff re: minor offenses ordinances were requested and have not yet been received.

McCord – Please schedule meetings at convenient and consistent times. Alaska rules of minor offense procedure. Rule 1 (read out loud about simplicity.) But public safety is not mentioned, nor is judicial insight. Are we getting sidetracked by making it simpler for people or for bureaucracy?

OLD BUSINESS:

- Going through minor offenses one by one.

(First two agenda items struck because some committee members not present.)

Question of daily fines for minor offense. Diana says recommendations from TAB include keeping daily fines in there for most offenses in Title 5 because then violators take it more seriously.

Looked at Public Safety Commission recommendations for Chapter 10.
Skiing on roads – Sgt. Dryden said as long as they follow pedestrian rules, it's fine. It's like the skateboarders, as long as they stay out of lane of travel, it's OK, but not on roadway.

Dryden - Chapter 10 is verbatim to state statute mostly. Police officers can check on ticket if the violation is state or borough and the fine goes to that entity. But shouldn't be based on that – that is “policing for profit.”

MOTIONS:

Chapter 10

Friedenauer – Moved to recommend to borough assembly to strike Chapter 10 offenses from Minor Offenses ordinance and code and just follow state statute for these violation. Jackson seconds.

Carries unanimously

Chapter 3

No recommended changes

Chapter 5

Jackson moved to adopt TAB recommendations on Title 5.

Friedenauer seconds.

Carries unanimously

Chapter 6

Ask HARK to review and make recommendations on Chapter 6

Chapter 8 – Refer to Sgt. Dryden for review of what might duplicate state law

Chapter 9 - Refer to Sgt. Dryden for review of what might duplicate state law

Chapter 12 – House numbers ordinance – problem with all the addresses and numbers not on houses. HIGHLIGHT this ordinance for planning commission/admin – can't be enforced without proper numbering.

MOTION – Jackson recommend drop house number ordinance with change to \$50 fine. Friedenauer seconds. No objection

Chapter 13 – No recommended changes

Chapter 14 – No recommended changes

Chapter 15 – No recommended changes

Chapter 16 – No recommended changes (based on Ports and Harbors Committee recommendation – that committee recently spent considerable time revising.)

Public Comment

Hughes – This was a frustrating process. Is everyone looking at the same documentation? We need a meeting packet.

Lapham – Mr. Hughes is correct. At TAB meeting we looked at code at same time as ordinance.

McCord – This is preliminary and murky waters. There's a lot of common sense stuff that doesn't require. I've heard nothing about individual civil rights. I'm concerned about that.

Josephson – Reiterate to have meetings times in the evening hours when more people can make these meetings. This is something the public is engaged in.

Nelson – We had asked Sgt. Dryden her on whether to go on court process or admin proceedings.

Ryan – Committee could consider holding a town hall meeting at conclusion of its work to get community feedback before it heads to assembly.

Committee comments:

Friedenauer – meeting materials were an issue. Borough staff did not allow committee to make many copies of materials because of cost.

Jackson – Using code to cross reference a good idea.

Thomas – Thanks Sgt. Dryden for taking time to attend.

Next meeting: Feb. 4th 6 p.m.

Next agenda (tentative): Deb's notes on attorney's recommendations; admin vs magistrate appeal; HARK/Sgt. Dryden recommendations on specific chapters; scheduling town hall meeting.